

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

FILED
OCT 10 2008
CLERK, U.S. DISTRICT COURT
RICHMOND, VA

DAVID MEYERS,

Plaintiff,

V.

Civil Action No. 3:08CV446

NATIONWIDE MUTUAL INSURANCE CO., et al.,

Defendants.

MEMORANDUM OPINION

Plaintiff, a Virginia state prisoner, brought this civil rights action. By Memorandum Order entered September 16, 2008, Plaintiff was denied leave to proceed without prepayment of fees, and directed to submit the full \$350.00 filing fee within eleven (11) days of the date of entry hereof.

More than eleven (11) days have passed and Plaintiff has not paid the \$350.00 filing fee. As Plaintiff has failed to comply with the September 16, 2008 Memorandum Order, this action will be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

An appropriate Order shall issue.

/s/

James R. Spencer
Chief United States District Judge

Date: 10-29-68
Richmond, Virginia